Application No. Filing Date Exercise Customer No. Group Art Unit Confirmation No. Filing Date Unassigned Unassigned Customer No. Group Art Unit Confirmation No. 10/647,919 August 26, 2003 Unassigned Customer No. Group Art Unit Confirmation No. 23389 1614 2440 Title: CATTLE REPRODUCTIVE DISEASE VACCINES Address to: Commissioner for Patents P.O. Box 1469 Alexandria, VA 22313-1450 37 CFR 1.31450 37 CFR 1.331450 37 CFR 1.331450 37 CFR 1.331450 37 CFR 1.331450 37 CFR 1.33161 37 CFR 1.3316 37 CFR 1	TRANSMITTA	L OF INFORMA (Under 37 CFR	TION DISCLOSURE STA	TEMENT		ket No. PC25246A)
Application No. Filing Date Unassigned 23389 1614 2440 Title: CATTLE REPRODUCTIVE DISEASE VACCINES Address to: Commissioner for Patents P.O. Box 1460 Alexandria, VA 22313-1450 37 CFR 1.97(b) 1. The Information Disclosure Statement submitted herewith is being filed within three months of the international application, before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) 2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.114. 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c) The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c) The Information Disclosure Statement is a filed before the mailing date of a CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a CFR 1.97(b), provided that the Information Disclosure Statement is accompanied by one of: The Information Disclosure Statement is accompanied by one of: OR	Re Application C		vski, et al. DEC 3 0 2004			
Title: CATTLE REPRODUCTIVE DISEASE VACCINES Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 37 CFR 1.97(b) 1. ☑ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) 2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: ☐ the statement specified in 37 CFR 1.97(e); ☐ Reproductive Disclosure Statement is filed before the mailing date of a companied by one of: ☐ the statement specified in 37 CFR 1.97(e);	Application No.	Filing Date	(C)			
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 37 CFR 1.97(b) 1. Image: The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) 2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: the statement specified in 37 CFR 1.97(e); OR		August 26, 2003	Unassigned	23389	1014	
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TRANSMITTA	L OF INFORMA (Under 37 CFF	Docket No. 15634 (PC25246A)			
In Re Application: Paul J. Dominowski, et al.					
	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
Application No.	Filing Date	Unassigned	23389	1614	2440
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Signature				ter I. Bernstein	G-iGanta
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This certificate may only be used if paying by deposit account.					
Dated: December 28, 2004					
Signature					
Peter L. Bernstein					
Registration No. 43,497					
Scully, Scott, Murphy & Presser 400 Garden City Plaza-Suite 300					
Garden City, New York 11530					
516-742-4343					
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Paul J. Dominowski, et al.

Examiner:

Unassigned

Serial No:

10/647,919

Art Unit:

1614

Filed:

August 26, 2003

Docket:

15634 (PC25246A)

For:

CATTLE REPRODUCTIVE

Dated:

December 28, 2004

DISEASE VACCINES

Confirmation No.: 2440

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

- 1. Coggins L. et al., "Attenuation of Virus Diarrhea Virus (Strain Oregon C24V) for Vaccine Purposes", Veterinary Virus Research Institute 539-545 (1961);
- 2. United States Patent No. 3,634,587, dated January 11, 1972 to Ament et al.;
- 3. Kolar J.R. et al., "Use in Cattle of Formalin-Killed Polyvalent Vaccine with Adjuvant Against Infectious Bovine Rhinotracheitis, Bovine Viral Diarrhea, and Parainfluenza-3 Viruses", Am. J. Vet. Res. 33(7):1415-1420 (1972);

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 28, 2004.

Dated: December 28, 2004

Peter I. Bernstein

- Fernelius A.L. et al., "Evaluation of β-Propiolactone-Inactivated-and Chloroform-Treated-Virus Vaccines Against Bovine Viral Diarrhea-Mucosal Disease", Am. J. Vet. Res. 33(7):1421-1431 (1972);
- 5. Phillips R.M. et al., "Evaluation of a Bovine Viral Diarrhea Vaccine Produced in a Porcine Kidney Cell Line", Am. J. Vet. Res. 36(2):135-140 (1975);
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 Virology 58:119-125 (1978);
- 7. Lobmann M. et al., "Clinical Evaluation of a Temperature-Sensitive Bovine Viral Diarrhea Vaccine Strain", Am. J. Vet. Res. 45(12):2498-2503 (1984);
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- Talens L.T. et al, "Efficacy of Viral Components of a Nonabortigenic Combination Vaccine for Prevention of Respiratory and Reproductive System Diseases in Cattle", JAVMA 194(9):1273-1280 (1989);
- 11. Corapi W.V. et al., "Characterization of a Panel of Monoclonal Antibodies and Their Use in the Study of the Antigenic Diversity of Bovine Viral Diarrhea Virus", Am. J. Vet. Res. 51(9):1388-1394 (1990);
- 12. Howard C.J. et al., "Immunity of Bovine Virus Diarrhoea Virus in Calves: The Role of Different T-Cell Subpopulations Analysed by Specific Depletion In Vivo with Monoclonal Antibodies", Veterinary Immunology and Immunopathology 32:303-314 (1992);
- 13. Larsson B. et al., "Bovine Virus Diarrhoea Virus Induces In Vitro a Proliferative Response of Peripheral Blood Mononuclear Cells from Cattle Immunized by Infection", *Veterinary Microbiology* 31:317-325 (1992);
- 14. Baker J.C. et al., "Bovine Viral Diarrhea Virus", The Veterinary Clinics of North America-Food Animal Practice 11(3):615-625 (1995);
- 15. European Patent Application No. 0 661 059 B1, published July 5, 1995;

- 16. Fulton R.W. et al., "Antibody Responses by Cattle after Vaccination with Commercial Viral Vaccines Containing Bovine Herpesvirus-1, Bovine Viral Diarrhea Virus, Parainfluenza-3 Virus, and Bovine Respiratory Syncytial Virus Immunogens and Subsequent Revaccination at Day 140", Vaccine 13(8):725-733 (1995);
- 17. Cortese V.S. et al., "BVD Virus Transmission Following Attenuated Vaccines to BVDV Seronegative Cattle", Large Animal Practice 18(5):18-24 (1997);
 - 18. Lambot M. et al., "Characterization of the Immune Response of Cattle Against Non-Cytopathic and Cytopathic Biotypes of Bovine Viral Diarrhoea Virus", *Journal of General Virology* 78:1041-1047 (1997);
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 - 20. United States Patent No. 5,733,555, dated March 31, 1998 to Chu;
 - 21. Flores E.F. et al., "Clinical, Pathological and Antigenic Aspects of Bovine Viral Diarrhea Virus (BVDV) Type 2 Isolates Identified in Brazil", *Veterinary Microbiology* 77:175-183 (2000);
 - 22. Beer M. et al., "A New Inactivated BVDV Genotype I and II Vaccine an Immunisation and Challenge Study with BVDV Genotype I", *Veterinary Microbiology* 77:195-208 (2000);
 - 23. Fulton R.W. et al., "Bovine Viral Diarrhea Virus Types 1 and 2 Antibody Response in Calves Receiving Modified Live Virus or Inactivated Vaccines", *Vaccine* 19(2-3):264-274 (2001);
 - 24. United States Patent No. 6,291,228 B1, dated September 18, 2001 to Howard et al.; and
 - 25. "Invest Early in CattleMaster® 4 Vaccine to Get the Highest Rate of Return", Internet Article 1-2 (2002).

References 2, 10, 16-17, 23 and 25 were cited in the Search Report dated March 12, 2003 received from the European Patent Office. Applicants are submitting a copy of the Search Report. The relevance of reference nos. 2, 10, 16-17, 23 and 25 has been described in the Search Report. The relevance of reference nos. 1, 3, 4-9, 11-14, 18-19 and 22 has been described in the specification.

In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicants are not required to submit copies of the above-cited U.S. Patents. All other references are enclosed.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

Peter I. Bernstein

Registration No.: 43,497

Scully, Scott, Murphy & Presser 400 Garden City Plaza-Suite 300 Garden City, New York 11530 (516) 742-4343

PIB:dg

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7.7-80) PATENT		OF PRIOR ART		15634 (PC25246A)		10/647,919		
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	Phillips R.M. et al., "Evaluat Kidney Cell Line", Am. J. Ve	ion of a Bovine Viral Diarrhea V et. Res. 36(2):135-140 (1975)	accine Produced in a Porcine
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	Lobmann M. et al., "Clinical Vaccine Strain", Am. J. Vet.	Evaluation of a Temperature-Se <i>Res. 45(12)</i> :2498-2503 (1984)	ensitive Bovine Viral Diarrhea
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